

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JODY CASILLAS, RYAN GABEL,
ANDREA TRACY and DONALD
MONRRISSEY,

Defendants.

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8:16CR76

ORDER

This matter is before the court on defendant Donald Morrissey's unopposed motion to continue trial [143], defendant Andrea Tracy's unopposed motion to continue trial [146] and defendant Ryan Gabel's resistance to motion to continue [145]. Counsel for Morrissey requests additional time to resolve the matter and has filed a waiver of speedy trial [144]. Counsel for defendant Tracy indicates that defendant is an active participant in a treatment program that has not concluded. For good cause shown,

IT IS ORDERED:

1. Donald Morrissey's unopposed motion to continue trial [143] is granted, defendant Andrea Tracy's unopposed motion to continue trial [146] is granted, and defendant Ryan Gabel's resistance to motion to continue [145] is denied.

2. The jury trial, **for all defendants**, currently set for August 18, 2016 is continued to **October 11, 2016**.

3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 11, 2016** shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED August 18, 2016.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge